

FOR PUBLICATION

ORDER

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX
APPELLATE DIVISION

SYLVESTER HODGE,)
)
) D.C. CRIM. APP. NO. 2007/0010
Appellant,) Re: Sup.Ct.Crim.No. F477/2005
)
v.)
)
PEOPLE OF THE VIRGIN ISLANDS,)
)
)
Appellee,)
) Consolidated with:
ALI BENJAMIN,)
)
)
Appellant,)
)
v.) D.C. Crim. APP. NO. 2006/0019
) Re: Sup.Ct.Crim.No. 478/2005
PEOPLE OF THE VIRGIN ISLANDS,)
)
)
Appellee.)
)

On Appeal from the Superior Court of the Virgin Islands

Considered: September 18, 2009
Filed: January 28, 2011

BEFORE: CURTIS V. GÓMEZ, Chief Judge, District Court of the Virgin Islands; RAYMOND L. FINCH, Judge of the District Court of the Virgin Islands; and BRENDA J. HOLLAR, Judge of the Superior Court of the Virgin Islands, sitting by designation.

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Maureen Phelan, Esq., AAG & Richard S. Davis, Esq., AAG
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Attorneys for Appellee.

Per Curiam.

ORDER	
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AND NOW, for the reasons more fully cited in a Memorandum
Opinion of even date, it is hereby

ORDERED that the Superior Court's judgment of conviction is
VACATED. It is further

ORDERED that this matter is REMANDED for further
proceedings, including a new trial

SO ORDERED this 28 day of January 2011.

A T T E S T:
WILFREDO F. MORALES
Clerk of the Court

By: Wilfredo F. Morales
Deputy Clerk

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